

Sheehan & Associates, P.C.

505 Northern Blvd Ste 311, Great Neck NY 11021-5101

tel. 516.303.0552 fax 516.234.7800

spencer@spencersheehan.com

February 16, 2020

District Judge Kenneth M. Karas  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**MEMO ENDORSED**

Re: 7:19-cv-10860-KMK  
Richardson v. Mars, Incorporated

Dear District Judge Karas:

This office represents the plaintiff. In accordance with your Honor's Individual Rules of Practice ("Individual Rules"), plaintiff requests an extension of the date by which service is required to be proved. Fed. R. Civ. P. 4(m) (allowing 90 days for defendant to be served); Fed. R. Civ. P. 6(a)(1)(A)-(B) (excluding the date triggering the period and counting intermediate weekends).

The original date by which service is required to be proved is Friday, February 21, 2020. There have been no previous requests for extension of this date. No prior requests were granted or denied.

This action was filed on November 23, 2019. On December 3, 2019, plaintiff mailed "a copy of the complaint, 2 copies of the waiver form appended to this Rule 4, and a prepaid means for returning the form" to defendant's registered agent as indicated on the summons. Defendant has not provided a signed waiver as of this letter.

However, the undersigned spoke with an attorney for defendant last week and I issued an updated waiver of service. Opposing counsel stated that they were occupied and/or traveling and would be in contact with me this coming week. I expect to receive a signed waiver prior to the deadline for plaintiff to prove service. However, erring on the side of caution, plaintiff requests an extension of this deadline by 30 days until March 23, 2020. Plaintiff expects a waiver of service will be filed before this date. The adversary has not consented because there has not been the opportunity to speak about this issue yet.

Respectfully submitted,

Granted.

/s/Spencer Sheehan  
Spencer Sheehan

So ordered.

  
2/18/2020

Certificate of Service

I certify that on February 16, 2020, I served or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	CM/ECF	First-Class Mail	Email
Defendant's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Plaintiff's Counsel</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

/s/ Spencer Sheehan  
Spencer Sheehan